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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/088,286	06/21/2002	Karl-Friedrich Muller	HM-480PCT	1111
7590	11/02/2005		EXAMINER	
FRIEDRICH KUEFFNER 317 MADISON AVENUE SUITE 910 NEW YORK, NY 10017			LARSON, LOWELL A	
			ART UNIT	PAPER NUMBER
			3725	

DATE MAILED: 11/02/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

TWR

Office Action Summary	Application No.	Applicant(s)	
	10/088,286	MULLER ET AL.	
	Examiner Lowell A. Larson	Art Unit 3725	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE THREE MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 14 May 2004 and 09 May 2005.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 7 to 12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) 12 is/are allowed.
- 6) Claim(s) 7,8,10 and 11 is/are rejected.
- 7) Claim(s) 9 is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____. | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____. |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on May 14, 2004 has been entered.
2. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claim Rejections - 35 USC § 102

3. Claims 7 and 8 are rejected under 35 U.S.C. 102(b) as being anticipated by Luckhof et al.

Applicant's remarks in the response filed May 14, 2004 have been considered but are not found to persuasive. The Luckhof et al. device installs and removes bearing unit 15. The coupling means that perform the installation and removal comprises only two sets of claws 7, 13 with bayonet closures, as required by these claims. The fact that the Luckhof et al. device includes a further set of claws 18 that is used to remove the roller disc is immaterial.

Claim Rejections - 35 USC § 103

4. Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Luckhof et al.

The Luckhof et al. device is constructed as an integral hydraulic cylinder, as required by this claim. Which element of the device is constituted as the cylinder and which as the piston, as recited in this claims, is considered to be an obvious exercise of mechanical design absent a disclosure of criticality in the solution of stated problems with any specific device construction, since reversal of parts is not considered to be a patentable distinction.

5. Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Luckhof et al. in view of Martins et al.

This claim requires the presence of a handwheel on the free end of the piston. Martins et al. shows it is well known in the art to place a handwheel opposite to the bearing-engaging claws of a roll bearing removal device. It would have been obvious to one having ordinary skill in the art at the time the invention was made to provide a handwheel in the Luckhof et al. device opposite to the claw members, following the suggestion of Martins et al., in order to facilitate manipulation of the device for fitting over the end of the roll shaft.

Conclusion

6. Claim 12 is allowed.

7. Claim 9 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

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8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lowell A. Larson whose telephone number is (571) 272-4519. The examiner can normally be reached from M-F 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Banks Derris can be reached at (571) 272-4419. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Lowell A. Larson
Primary Examiner
Art Unit 3725

LAL
October 4, 2005